

LEWIS
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ROCA
LLP
LAWYERS

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13 Attorneys for USACM Liquidating Trust

14 **UNITED STATES BANKRUPTCY COURT
15 DISTRICT OF NEVADA**

16 In re:

17 USA COMMERCIAL MORTGAGE
18 COMPANY,

19 USA CAPITAL REALTY ADVISORS,
20 LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL
OF PROOF OF CLAIM FILED BY
HOUSTON REVOCABLE FAMILY
TRUST AND SUSAN HOUSTON**

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

The USACM Liquidating Trust (the "USACM Trust"), by and through its undersigned counsel, and William and Susan Houston, Trustees of the Houston Revocable Family Trust dated 12/20/85 and Susan Houston ("Houston"), stipulate:

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1. The Houston Revocable Family Trust dated 12/20/85, William and Susan Houston, Trustees, filed proof of claim No. 10725-01804 as a secured claim in the amount of \$100,000.00.

2. Susan Houston filed proof of claim No. 10725-01805 as a secured claim in the amount of \$100,000.00.

3. On March 23, 2007, the USACM Trust filed its Fourteenth Omnibus Objection to Proofs of Claim filed as Secured [DE 3159] objecting to the secured status of Claim Nos. 10725-01804 and 10725-01805 filed by Houston, arguing that the proofs of claim are not entitled to secured status and requested that the claims be reclassified as general unsecured claims.

4. On June 29, 2007, the Order Sustaining the Fourteenth Omnibus Objection to Claims Asserting Secured Status [DE 4094] was signed by this Court and the claims were reclassified as general unsecured claims.

5. Houston notified the USACM Trust that they did not wish to receive any further correspondence or notification and that they have terminated legal ties to the Debtor and Compass Partners.

Therefore, the parties stipulate and agree that Houston withdraws proof of claim No. 10725-01804 filed on December 18, 2006 in the amount of \$100,000.00; and Claim No. 10725-01805 filed on December 18, 2006 in the amount of \$100,000.00 on the ground that claimants have terminated all legal ties and have requested to withdraw the claim. No further notice shall be given to Houston.

DATED: August 8, 2007.

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

Counsel for USACM Liquidating Trust

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LAWYERS

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-and-

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3 DATED: 8/2/2007, 2007.

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5 William H Houston
6 William Houston, Trustee for the Houston
7 Revocable Family Trust dated 12/20/85

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9 Susan Houston
10 Susan Houston, Trustee for the Houston
11 Revocable Family Trust dated 12/20/85

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13 Susan Houston
14 Susan Houston

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